

what their obligations are?

SENATOR CHAMBERS: Uh-uh, because I don't know the status of this mediator.

SENATOR ASHFORD: Okay. So when you're striking that, what your intent is, what is your intent by the amendment?

SENATOR CHAMBERS: My intent is to say that anything that could be used against either of these parties for the purpose of being punished under the law should not be divulged in any court or other proceeding besides this one. Nothing that could be used as the basis of a criminal charge, in other words, should be divulgeable when it is made known to this mediator and the mediator would then be required to divulge it to the appropriate authorities.

SENATOR ASHFORD: Thank you, Senator Chambers. My response at this point is we don't know what underlying statute Senator Chambers is referring to. My instinctual response would be that at this point we should not vote for this amendment, but should...and if there is some underlying concern or underlying statute that he's referring to so that the body is fully informed on what he is trying to do, then maybe we could address this statute on...or this amendment on Select File. I would say secondarily that now that the body has indicated that it wishes to continue on with the concept of voluntary mediation in the area of domestic relations and custody that the argument that Senator Chambers used against or for the Landis amendment, that these individuals would be compelled to, in effect, give evidence against themselves by attending these mediation classes or mediation sessions would not apply in a voluntary situation. So I think the dynamics change quite a bit and I certainly accept the body's determination that it wishes this process to be voluntary. I hope it works. I'd like to see us expand from one meeting to more than one meeting now that we're going to the voluntary mediation, but I think at this point that probably would be counterproductive and we should just move the bill ahead. Again, on Senator Chambers' amendment, you know, I just don't know. I don't have enough information. I don't think he's provided us with enough information to tell us what the underlying statutory prescriptions he's talking about are. My sense of it would be that mediators and counselors would be required and it would, certainly in the case of child abuse, would be required to make that information known and should make